

In the City Council
City of Lodi
Lodi, California

ORDINANCE NO. 648

ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED "FISCHER ADDITION", TO THE CITY OF LODI, AND CLASSIFYING SAID PROPERTY IN THE R-3 LIMITED MULTIPLE FAMILY RESIDENTIAL ZONE

WHEREAS, the Boundary Commission of San Joaquin County did on the 27th day of April, 1959, approve the boundary line description of the hereinafter described territory, proposed for annexation to the City of Lodi, as to definiteness and certainty; and

WHEREAS, on the 6th day of May, 1959, a verified petition requesting the annexation of said territory was accepted by the City Council of the City of Lodi, together with contained signatures the certificate of the City Clerk of said City: That the petitioning owners represent more than one-fourth of the property in said territory both by area and by assessed value, that there are less than twelve registered electors residing therein and that said territory is contiguous to the City of Lodi; and

WHEREAS, said petition contained a request that the property proposed to be annexed to the City of Lodi be zoned in the R-3 Limited Multiple Family Residential District, and the City Council thereupon referred the petition to the Planning Commission who in turn, after hearing, recommended that the territory proposed for annexation be classified in the R-3 Limited Multiple Family Residential zone; and

WHEREAS, the City Council adopted Resolution No. 2226, giving notice of the proposed annexation and of a time and place for the hearing of protests against annexation, such hearing to be held in the City Council Chamber, City Hall, Lodi, California, beginning at 8:00 o'clock p.m. of Wednesday, June 3, 1959; and

WHEREAS, subsequent to the adoption of said Resolution No. 2226, conforming therewith and with the provisions of the "Annexation of Uninhabited Territory Act of 1939", notice was given owners of property within the territory proposed for annexation by publication of said Resolution No. 2226 in a newspaper of general circulation printed and published in the City of Lodi as is evidenced by affidavit thereof on file and of record in the office of the City Clerk of the City of Lodi, said publication being completed more than twenty days prior to the date of hearing set in Resolution No. 2226; and

WHEREAS, all property owners having signed the petition for such annexation, mailing of notices to said property owners and publication of such notice in a newspaper outside the City of Lodi was waived in accordance with Section 35307 and Section 35311 of the Government Code; and

WHEREAS, said Resolution No. 2226 contained a notice of the intention of the City Council to classify said territory in the R-3 Limited Multiple Family Residential zone; and

WHEREAS, on the 3rd day of June, 1959, at the hour of 8:00 p.m. of said day, in the City Council Chamber, City Hall, Lodi, California, pursuant to resolution and notice aforesaid, the City Council of the City of Lodi did hold and conduct a public hearing for the hearing of protests or objections against the annexation of said territory to the City of Lodi, and said protests being heard, considered and passed upon by said City Council, and found to have been made by Owners of less than one-half of the assessed value of the territory proposed to be annexed as shown by the last equalized assessment roll of San Joaquin County, California, or by public and private owners of less than one-half of the value of the territory proposed to be annexed as determined by said City Council; now therefore

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

Section 1. The annexation of the following described uninhabited territory in San Joaquin County, contiguous to the City of Lodi, designated "Fischer Addition," is hereby approved and the same is hereby declared to be annexed to and made part of the City of Lodi:

A portion of the Southwest Quarter of Section 2, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, San Joaquin County, California, and more particularly described as follows:

Beginning at the Southeast corner of the said Quarter; thence Northerly along the East line of said Quarter 456 feet to its intersection with the extended South line of Walnut Street; thence westerly along the South line of Walnut Street 264 feet to the true point of beginning; thence continuing along the South line of Walnut Street, which line is also a boundary line of the City of Lodi, 282.25 feet; thence South $0^{\circ} 37\frac{1}{2}'$ East along the east line of the Lodi Union High School property, also a City boundary, 192 feet, more or less; thence Easterly along a line parallel to the South line of Walnut Street, 282.25 feet; thence North $0^{\circ} 37\frac{1}{2}'$ West a distance of 192 feet, more or less, to the true point of beginning; the property thus described containing 1.24 acres, more or less.

BEATRICE GARIBALDI
City Clerk